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S	TATEMENT	BY A	APPLICANT	First Named Inventor	Jochen Kumlehn	
_				Art Unit	N/A	
	(Use as many sh	reets as	necessary)	Examiner Name	Not Yet Assigned	
Sheet	1	of	4	Attorney Docket Number	13173-00023-US	

			U.S. PA	TENT DOCUMENTS	
Examiner	Cite	Document Number	Publication Date	Name of Patentae or	Pages, Columns, Lines, Where
Initiats*	No.	Number-Kind Code ² (#known)	MM-DD-YYYY	Applicant of Cited Document	Relevant Passages or Relevant Figures Appear
	AA*	US-5,591,646	01-07-1997	Hudson et al.	
	AB*	US-6,300,543	10-09-2001	Cass et al.	
W	AC*	US-2002/0178463	11-28-2002	Hiei et al.	

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Examir Initiats*		Cite No.	Foreign Patent Document Country Code ³ -Number ⁴ - Kind Code ⁶ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T⁵
	7/	BA	WO-91/02071-A2	02-21-1991	Dekalb Plant Genetics		
		BB	WO-93/18168-A2	09-16-1993	Max-Planck-Gesellschaft Zur Förderung Der Wissenschaften E.V. et al.		
		BC	WO-94/00583-A1	01-06-1994	South Dakota State University		
		BD	WO-94/00977-A1	01-20-1994	Japan Tobacco Inc.		See US 2002/0178463 and US 5,591,646
		BE	WO-94/01999-A1	02-03-1994	Carlsberg Forskningscenter		
		BF	EP-0 672 752-B1	09-20-1995	Japan Tobacco Inc.		
		BG	WO-97/48814-A2	12-24-1997	Monsanto Company		
		ВН	WO-98/01576-A1	01-15-1998	Pioneer Hi-Bred International Inc.		`.
		ВІ	WO-00/63398-A1	10-26-2000	Rhobio		
V		BJ	WO-01/73084-A2	10-04-2001	Institut Für Pflanzengenetik Und Kulturpflanzenforschung		See Abstract

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. * CITE NO.: Those application(s) which are marked with an single asterisk (*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. 'Applicant's unique citation designation number (optional). ³ See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

1		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
/LZ/	CA	Potrykus, I., "Gene Transfer to Plants: Assessment of Published Approaches and Results", Annu. Rev. Plant Physiol. Plant Mol. Biol., Vol. 42 (1991), pp. 205-225.	

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Sheet	2	of	4	Attorney Docket Number	13173-00023-US	

/LZ	CB	Kumlehn, Jochen et al., "Differentiation of Isolated Wheat Zygotes into Embryos and Normal Plants", Planta, Vol. 205 (1998), pp. 327-333.	
	СС	Weeks, J. Troy et al., "Rapid Production of Multiple Independent Lines of Fertile Transgenic Wheat (<i>Triticum aestivum</i>)", Plant Physiol., Vol. 102 (1993), pp. 1077-1084.	
	CD	Wan, Yuechun et al., "Generation of Large numbers of Independently Transformed Fertile Barley Plants", Plant Physiol., Vol. 104 (1994), pp. 37-48.	
	CE	Rasco-Gaunt, Sonriza et al., "Procedures Allowing the Transformation of a Range of European Elite Wheat (<i>Triticum aestivum</i> L.) Varieties Via Particle Bombardment", Journal of Experimental Botany, Vol. 52, No. 357 (2001), pp. 865-874.	
	CF	Somers, David A. et al., "Fertile, Transgenic Oat Plants", Bio/Technology, Vol. 10 (1992), pp. 1589-1594.	
	CG	Christou, Paul et al., "Stable Transformation of Soybean Callus by DNA-Coated Gold Particles", Plant Physiol., Vol. 87 (1988), pp. 671-674.	
	СН	Frame, Bronwyn R. et al., "Agrobacterium tumefaciens-Mediated Transformation of Maize Embryos Using a Standard Binary Vector System", Plant Physiology, Vol. 129 (2002), pp. 13-22.	
	CI	Leduc, Nathalie et al., "Isolated Maize Zygotes in Vivo Embryonic Development and Express Microinjected Genes When Cultured in Vitro", Developmental Biology, Vol. 177 (1996), pp. 190-203.	
	C1	Kumlehn, Jochen et al., "Zygote Implantation to Cultured Ovules Leads to Direct Embryogenesis and Plant Regeneration of Wheat", The Plant Journal, Vol. 12, No. 6 (1997), pp. 1473-1479.	
	СК	Holm, Preben B. et al., "Regeneration of Fertile Barley Plants from Mechanically Isolated Protoplasts of the Fertilized Egg Cell", The Plant Cell, Vol. 6 (1994), pp. 531-543.	
	CL	Kranz, Erhard et al., "In Vitro Fertilisation of Maize by Single Egg and Sperm Cell Protoplast Fusion Mediated by High Calcium and High pH", Zygote, Vol. 2 (1994), pp. 125-128.	
	СМ	Kranz, Erhard et al., "In Vitro Fertilization with Isolated, Single Gametes Results in Zygotic Embryogenesis and Fertile Maize Plants", The Plant Cell, Vol. 5 (1993), pp. 739-746.	
	CN	Meinke, David W., "Perspectives on Genetic Analysis of Plant Embryogenesis", The Plant Cell, Vol. 3 (1991), pp. 857-866.	
	СО	Mogensen, H. Lloyd, "Double Fertilization in Barley and the Cytological Explanation for Haploid Embryo Formation, Embryoless Caryopses, and Ovule Abortion", Carlsberg Res. Commun., Vol. 47 (1982), pp. 313-354.	
	СР	Evans, D. A. et al., "Protoplast Isolation and Culture" in D. Evans et al., Editors, Handbook of Plant Cell culture, Macmillan Publishing Company, Vol. 1, 1983, pp. 124-176.	
	ca	Kranz, E. et al, "In Vitro Fertilization of Single, Isolated Gametes of Maize Mediated by Electrofusion", Sex Plant Reprod., Vol. 4 (1991), pp. 12-16.	
	CR	Mejza, Stephen J. et al., "Plant Regeneration from Isolated Microspores of <i>Triticum aestivum</i> ", Plant Cell Reports, Vol. 12 (1993), pp. 149-153.	
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	CU	Töpfer, Reinhard et al., "Uptake and Transient Expression of Chimeric Genes in Seed-Derived Embryos", The Plant Cell 1 (1989), pp. 133-139.	
V	CV	Gould, Jean et al., "Transformation of Zea mays L. Using Agrobacterium tumefaciens and the Shoot Apex", Plant Physiol., Vol. 95 (1991), pp. 426-434.	

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				Art Unit	N/A	
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Sheet	3	of	4	Attorney Docket Number	13173-00023-US	

cw	Mooney, Pauline A. et al., "Agrobacterium tumefaciens-gene Transfer Into Wheat Tissues", Plant Cell, Tissue and Organ Culture, Vol. 25 (1991), pp. 209-218.
СХ	Hayakawa, Takahiko et al., "Genetically Engineered Rice Resistant to Rice Stripe Virus, an Insect-Transmitted Virus", Proc. Natl. Acad. Sci. USA, Vol. 89 (1992), pp. 9865-9869.
CY	Wu, Yan et al., "Enzymatic Isolation of Viable Nucelli at the Megaspore Mother Cell stage and in Developing Embryo Sacs in <i>Nicotiana tabacum</i> ", Sex Plant Reprod., Vol. 6 (1993), pp. 171-175.
CZ	Jürgens, Gerd et al., "Arabidopsis", in J.B.L. Bard, Ed., Embryos, Color Atlas of Development, Wolfe Publishing, London, pp. 7-21.
CA1	Potrykus, Ingo, "Gene Transfer to Cereals: An Assessment", Bio/Technology, Vol. 8 (1990), pp. 535-542.
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CJ1	Davey, M. R. et al., "Transgenic Rice: Characterization of Protoplast-derived Plants and their Seed Progeny", Journal of Experimental Botany, Vol. 42, No. 242 (1991), pp. 1159-1169.
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CM1	Shillito, R. D. et al., "High Efficiency Direct Gene Transfer to Plants", Bio/Technology, Vol. 3 (1985), pp. 1099-1103.
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Sheet	4	of	4	Attorney Docket Number	13173-00023-US	

/LZ/		Microprojectile Bombardment of Regenerable Embryogenic Callus", Bio/Technology, Vol. 10 (1992), pp. 667-674.	
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^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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	No.1	City No. Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city antibor country where published. CA LEDUC, N., ET AL., "Deleterious effect of minimal enzymatic treatments on the development of isolated maize embryo sacs in outhure", Sexual Plant Reproduction (1995), Vol. 8, pp. 313-

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